UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTOINETTE AUSTIN,

          Plaintiff,   Case Number 13-10098

v.   Honorable David M. Lawson
                                           Magistrate Judge R. Steven Whalen

LEE GORDON, BANK OF AMERICA,
N.A., ALICE GIBSON, and SECURITIES
EXCHANGE COMMISSION,

          Defendants.

_____/

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION AND DISMISSING ALL CLAIMS AGAINST DEFENDANT LEE GORDON ONLY

Presently before the Court is the report issued on September 4, 2013 by Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636(b), recommending that the Court dismiss all claims against defendant Lee Gordon as barred by the doctrine of quasi-judicial immunity. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #17] is **ADOPTED**.

It is further **ORDERED** that the defendant's motion to dismiss [dkt. #9] is **GRANTED**.

It is further **ORDERED** that the plaintiff's claims against defendant Lee Gordon **ONLY** are

DISMISSED WITH PREJUDICE.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: September 24, 2013

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 24, 2013.

s/Shawntel Jackson
SHAWNTEL JACKSON